

**PUBLIC SAFETY DEPARTMENT[661]**

**Notice of Intended Action**

**Proposing rule making related to carbon monoxide alarms  
and providing an opportunity for public comment**

The State Fire Marshal Division hereby proposes to amend Chapter 211, “Carbon Monoxide Alarms,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 100.18(5).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 100.18.

*Purpose and Summary*

The proposed amendments to Chapter 211 reflect the changes in nomenclature made by 2020 Iowa Acts, House File 2585, regarding persons who are deaf or hard of hearing. Section 4 of this legislation requires owners of rental units to install light-emitting carbon monoxide alarms upon the request of tenants who are deaf or hard of hearing.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Pursuant to the provisions of rule 661—10.222(17A), the Department does not have authority to waive requirements established by statute. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to the provisions of rule 661—10.222(17A).

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 11, 2021. Comments should be directed to:

Sarah Jennings  
Department of Public Safety  
Oran Pape State Office Building  
215 East 7th Street  
Des Moines, Iowa 50319  
Phone: 515.725.6185  
Email: [jennings@dps.state.ia.us](mailto:jennings@dps.state.ia.us)

### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend rule 661—211.20(86GA,SF2219) as follows:

#### **661—211.20(86GA,SF2219) Responsibility for installation and maintenance of carbon monoxide alarms.**

**211.20(1)** and **211.20(2)** No change.

**211.20(3)** ~~Hearing-impaired~~ Deaf or hard-of-hearing tenant. An owner of a multiple-unit residential building or a single-family rental unit ~~in which a carbon monoxide alarm is required~~ that has a fuel-fired heater or appliance, a fireplace, or an attached garage, or the owner’s agent, shall, upon request of a tenant who has a is deaf or hard of hearing impairment, install light-emitting carbon monoxide alarms.